

**REMARKS/ARGUMENTS**

In view of the amendments and remarks herein, favorable reconsideration and allowance of this application are respectfully requested. By this Amendment, claims 1, 2, 3 and 5 have been amended. Claims 1-10 are pending for further examination.

Claims 5 and 10 have been rejected under 35 USC 112, second paragraph, as being indefinite for the reasons set forth in paragraph 4 of the Office Action. In response, Applicant has amended claims 5 and 10 herein in a manner that is believed to obviate this rejection. Thus, withdrawal of the Section 112 rejection is respectfully requested.

Applicant notes, with appreciation, that the Examiner has indicated that claims 5 and 10 are directed to allowable subject matter and would be allowed if amended to independent form and to overcome the Section 112 rejection. Applicant believes that the Section 112 rejection has now been overcome. However, Applicant also believes, as explained below, that all of the pending claims are allowable over the prior art of record. Thus, claims 5 and 10 have not been amended to independent form at this time.

Claims 1, 2 and 6-7 have been rejected under 35 USC 103(a) as being obvious over Peachey. Claims 3-4 and 8-9 have been rejected under 35 USC 103(a) as being obvious over Peachey in view of Fournier. For at least the following reasons, Applicant respectfully contends that the pending claims are not rendered obvious by the cited references. Thus, reconsideration and withdrawal of these rejections are respectfully requested.

Applicant believes that the Examiner has misinterpreted the term "water surface object" as used in the instant claims. For clarification, Applicant provides the following explanation regarding the differences between the claimed invention and the cited references.

First, according to Peachey's invention, the height of waves is adjusted in real time in accordance with the grid height. Specifically, in Peachey's invention, the shape of an object is dynamically changed by performing a calculation for displacing particular vertex coordinates of a polygon every time the scene changes, for example. By the object shape change, wave changes are represented.

In contrast, the water surface object of the claimed invention is intended to represent a plate greater than the water surface area. The shape (undulation) of waves according to the claimed invention is fixedly formed on the plate in advance. By causing the entire plate (i.e., water surface object) on which a plurality of waves are formed to move, wave changes at the boundary between land and sea (at the shore line) are represented. That is, unlike in Peachey, the claimed invention does not disclose a technique of producing (calculating) the shape of waves in real time, and therefore the shape of the object does not change at all.

As disclosed by Peachey, calculating the height of waves in real time and using a grid unit makes the calculation process complicated and greatly increases the required number of calculation processes. As a result, Peachey suffers from similar problems as the conventional prior art to which the instant invention is designed to overcome. The

claimed invention has solved such problems, by enabling wave changes to be represented by a simple process of moving the entire water surface object which is made in a fixed undulating shape. The claimed invention is clearly not taught or suggest by any of the prior art of record.

Regarding the object moving portion of claim 1, the Examiner asserts that it would have been obvious to one skilled in the art to allow for the varying placement and rendering of separated objects in a given scene, within a designated predetermined range. However, the known art recited by the Examiner is a general technique of producing the shape of waves on a scene-by-scene basis, and thus is obviously very different from invention defined by the pending claims.

Regarding a reciprocating or circular motion of the entire water surface object, as set forth in claims 2 and 3 of the present application, the Examiner states "Peachey teaches said water surface object makes a curved reciprocating motion". From this, it appears that the Examiner has misconstrued the term "water surface object" to mean "a piece of wave". However, in the claimed invention, to represent wave changes, the entire plate on which a plurality of waves (undulations) are formed is caused to move, and therefore performing a reciprocating or circular motion has significant meaning. On the other hand, in the case of rendering individual wave shapes, as in general conventional techniques, wave changes can be represented by the rendering, and thus it is not necessary to perform a reciprocating or circular motion. Thus, Applicant respectfully

requests that the Examiner reconsider this rejection based on the proper interpretation of the claimed elements, as described above.

Regarding claim 4, the Examiner merely presented a general idea that the central portion of the sea where there are no obstacles has no wave undulations and thus is flat. Applicant respectfully submits that, in view of the clarifications above, this assertion by the Examiner does not support the rejection, and withdrawal thereof is requested.

For at least the reasons described above, the claimed invention is very different from general wave forming techniques disclosed in the cited references. Accordingly, none of pending claims 1 to 10 are rendered obvious under 35 U.S.C. 103(a) in view of Peachey and/or Fournier. Neither of these references, whether considered alone or in combination, teach or suggest the particular combination of features/steps defined in the pending claims.

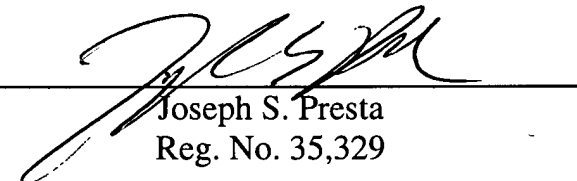
In view of the amendments and remarks herein, Applicant believes that all of the pending claims clearly and patentably distinguish the prior art of record and are in condition for allowance. Thus, withdrawal of the rejection and passage of this case to issuance at an early date are earnestly solicited.

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Should the Examiner have any questions regarding this response, or deem that any further issues need to be addressed prior to allowance, the Examiner is invited to call the undersigned attorney at the phone number below.

Respectfully submitted,

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